

Tip of the Mitt Watershed Council interacts with the LWMD in a variety of ways from commenting on dredge and fill applications in our four county service area to participating in workgroups to improve policy and implementation of programs to coordinating education and outreach efforts.

Perceived Strengths:

LWMD does have many professional, knowledgeable, and committed staff. Up North, there are some field staff who have gone beyond requirements and are taking proactive steps to provide a net benefit to the ecosystem. For example, staff have encouraged biotechnical erosion controls during the permitting process rather than merely approving a permit that would result in an artificial hardened shoreline. Additionally, many of the field staff in our service area are interested in building the relationship between the LWMD and the Watershed Council and actively seek out our input and assistance.

Areas of Improvement:

Purpose:

What is the mission or goal of the LWMD – to protect resources or issue permits? It seems as though the LWMD has perceived its goal to be one of issuing permits rather than environmental protection. This perception seems to be reinforced by budgetary constraints resulting in overworked field staff whose primary concern as a result becomes getting permits issued. The LWMD needs to change its focus from being a permitting agency to being a regulatory agency. Specifically, this means don't issue permits to everyone, say NO sometimes, and enforce violations.

Policy Development:

As an advocate for water resource protection, we have spent significant resources and time on participation in workgroups to improve LWMD programs. While we appreciate the effort of the DEQ to improve implementation and success of their programs, and looking to us as a vital resource to do so, we believe many recent workgroups have failed to achieve the intended goal. Two recent examples include the marina policy workgroup whose end result to date has been no significant improvement of policy and the shoreline management workgroup. After spending a considerable amount of time and effort working toward substantial changes to improve shoreline management policy, particularly statutory changes, the end result was merely a General Permit process. While a step in the right direction, LWMD certainly has professional and knowledgeable staff who could have developed a GP to protect coastal wetlands without the assistance of a workgroup that worked tirelessly on the matter for over a year. It is also worthwhile to note that the LWMD issued a GP category for shoreline management activities despite having their own scientific research validating the adverse impacts that result from such activities.

Citizen Involvement:

The very purpose of environmental regulations is to protect the health, safety, and general welfare of our citizenry. Consistent with this purpose, meaningful opportunities for citizen involvement are written into the decision-making process of environmental laws and regulations. The issue of citizen involvement is simply one of common sense: if we want to ensure that environmental regulations are meeting their intended societal purpose,

citizens must be involved. We are contacted continuously by citizens throughout the state regarding proposed developments/activities or violations associated with LWMD programs. We are often contacted because DEQ staff fail to adequately communicate with the public. Part of this is a lack of education or understanding by the public on how the process works and how to effectively participate in the process. At the same time, it seems the agency culture does not welcome or encourage citizen involvement and there is a focus on permit applicants rather than the public whose interest the agency has been established to protect.

Recommendations:

Reinstitute the mission or purpose of the LWMD to fulfill constitutional and statutory guidelines.

- Adopt policy or internal guidance that emphasizes the importance of environmental protection.
- Reinforce the mission of environmental protection through agency/division leadership including supporting field staff decisions on permit denials and willingness to follow through with enforcement actions for violations.
- Very simply, LWMD needs more field staff.

Utilize limited resources appropriately when developing policy.

- Only convene workgroups if action will be taken or recommendations will be implemented. Otherwise, the workgroups are waste the time of LWMD staff or other participants.
- Develop policies based upon the natural resources rather than political or societal pressures.

Restore the citizen's voice in environmental decision-making

- Adopt a policy and develop an internal organizational culture that understands and is committed to the importance of citizen involvement.
- Provide staff training in how to work with citizens including communication skills, conflict resolution, and public meeting facilitation.
- Encourage staff to share knowledge with community groups outside the realm of permitting and decision-making process to open lines of communication outside of contentious permit issues that would improve relationships and build trust between citizens and the agency.